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HUMAN RESOURCES MANAGEMENT

Reasonable time for staff representational activities

Report of the Secretary-General

I. INTRODUCTION

1. At its forty-ninth session, the General Assembly adopted resolution 49/222 A of 23 December 1994 on human resources management. In section V, paragraph 1 of the resolution, the General Assembly requested the Secretary-General to "issue a corrigendum to [his] report on the costs of staff representation activities (A/C.5/47/59) and to report separately to the Assembly, at the earliest possible opportunity, on the modalities and costs of staff representation since 1992". The two reports of the Secretary-General (A/C.5/49/63 and A/C.5/49/64) of 31 May 1995 were prepared in response to that request. Those reports are scheduled for consideration by the Assembly at its resumed fiftieth session in May 1996.

2. The present report is submitted in response to a subsequent request of the Fifth Committee that the resumed fiftieth session of the General Assembly receive a report on the definition of "reasonable time" for staff representational activities, as approved by the Secretary-General on the recommendation of the Staff-Management Coordination Committee at its nineteenth session.

II. DEFINITION OF "REASONABLE TIME" FOR STAFF REPRESENTATIONAL ACTIVITIES

3. As indicated in the above-mentioned two reports of the Secretary-General on the costs of staff representational activities during the period 1990 through 1994 (ibid.), administrative instruction ST/AI/293 of 15 July 1982 sets out the

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existing policy and procedures for the staff representational activities envisaged in the Staff Regulations and Rules and defines the official status and facilities to be given to staff representatives. The administrative instruction specifies that:

(a) The functions of staff representatives are official;

(b) Staff representatives shall be afforded such facilities and are to be granted reasonable official time as may be required to enable them to carry out their functions promptly and efficiently, while not impairing the efficient operation of the Organization;

(c) Each Staff Council, Staff Committee or corresponding staff representative body at designated duty stations shall be provided with secretarial assistance, office space and supplies as may be necessary for the proper discharge of their functions;

(d) Each Staff Council, Staff Committee or corresponding staff representative body shall have use of telephone and cable/facsimile communication facilities;

(e) Each Staff Council, Staff Committee or corresponding staff representative body shall be accorded facilities for reproduction and distribution of notices, bulletins and other documents required for the proper discharge of their functions, subject to compliance with the procedures and considerations governing the use of such facilities.

4. The instruction provides for the following conditions regarding official time for staff representational activities:

(a) Staff representatives shall be entitled to attend established meetings of the Staff Council or corresponding staff representative body. They shall also be granted reasonable official time to prepare for and attend meetings of related bodies, to represent staff in joint advisory bodies and to conduct their representational activities (such as meetings with supervisors or managers), provided that the proportion of the official time spent on representational activities should not be unreasonable in relation to their performance of assigned duties;

(b) The President or Chairman of the Executive Committee of each Staff Council or corresponding staff representative body at nine established duty stations (Addis Ababa, Amman, Bangkok, Geneva, Jerusalem (for the Field Service Staff Union), Nairobi, New York, Santiago and Vienna), if he/she so requests, can be released from assigned duties during his/her term of office. That release may be either on a full-time basis, if the number of staff represented is 1,000 or more, or half-time basis, if the number of staff represented is less than 1,000;

(c) Other members of the Executive Committee should be afforded the necessary time required for them to carry out their functions promptly and efficiently;

(d) Staff representatives duly designated to attend intra-organizational, inter-organizational or intergovernmental meetings shall be placed on official duty status for the time required to attend such meetings, including appropriate travel time.

5. The Secretary-General continues to believe that strong, constructive staff-management consultative relations have a beneficial effect on the functioning and activities of the global Secretariat. While Staff Union contributions are difficult to measure in concrete terms, both management and staff recognize that they can have a positive impact on both the development and the introduction of sound management policies. This is particularly true at a time when the Organization is endeavouring to enhance its management culture and environment. The arrangements set out below for defining "reasonable time" have been formulated bearing these considerations in mind. They also recognize the need to refine the definition of "reasonable time" currently in place in the light of the need to safeguard the principle that the grant of "reasonable time" should be such that it enables staff representatives to carry out their functions promptly and efficiently, while not having a negative impact on mandated Secretariat programme delivery. These definitions moreover respond to the decision of the United Nations Administrative Tribunal in its Judgement No. 697: Fagan, paragraph XII, in which it held, inter alia, that, "the concept of 'reasonable time' calls for a definition which is not contained in the administrative texts".

6. The Secretary-General thus understood that it would be beneficial to both staff representatives and management to arrive at specific, quantifiable definitions of "reasonable time" and requested that, at its nineteenth session, in June 1995, the Staff-Management Coordination Committee formulate recommendations to that effect.

7. In formulating the definitions set out in paragraph 8 (a) to (e) below, the Staff-Management Coordination Committee (SMCC) sought to balance, on the one hand, the increase in the complexity and number of issues dealt with in the context of staff-management consultations and, on the other hand, legitimate concerns of Member States and programme managers regarding the amount of time and the level of resources devoted to the process. Staff representatives consider these to be the lowest possible release levels feasible, if staff are to be able to carry out their activities and participate fully in staff-management consultations. The introduction of clear guidelines for use in giving staff representatives "reasonable" official time to conduct their duties is considered to be in full consonance with the efforts of the Organization to introduce the system of accountability and responsibility, as mandated by the General Assembly.

8. In September 1995, the Secretary-General endorsed the SMCC recommendations, on the understanding that the prime objective of both management and Staff Union leaders is to maintain the integrity of programme delivery while ensuring an appropriate level of staff representational activities. The formula agreed upon and approved by the Secretary-General represents an aggregate amount and distribution of time which are deemed reasonable under the present circumstances. In the event that changed circumstances would require adjustments, those adjustments would be possible while preserving the overall

prime objective of programme delivery. With this understanding, "reasonable time" for staff representational activities is to be defined as follows:

(a) Full-time release for the President or Chairman of the Executive Committee/Council representing staff in the range of 1,000, and 60 per cent release if the number of staff represented is less. In the latter case, additional time should be given to deal with non-recurrent issues, such as initial classification exercises or the introduction of the Performance Appraisal System;

(b) At duty stations other than New York and Geneva, release for the First Vice-President and, where applicable, for the Second Vice-President for three days per week (or 96 hours per month), if the number of staff represented is in the range of 1,000 staff, and 1.5 days per week (or 48 hours per month) if the number of staff represented is less. In New York and Geneva, where the number of staff is significantly higher and in view of the complexity of issues which arise therefrom, the First and Second Vice-Presidents in New York and the Vice-Executive Secretary in Geneva are to be given full-time release. Moreover, when the President or Chairman of the Executive Committee holds concurrently the position of President of the Coordinating Committee for International Staff Unions and Associations of the United Nations System (CCISUA), release of another officer should be given in the case of New York and Geneva;

(c) When the number of staff represented is in the range of 1,000, 32 hours per month release for other members of the Executive Committee, except for New York where 44 hours per month should apply, and 16 hours per month when the number of staff is less;

(d) For members of the Staff Council, an average of 10 hours per month release, except for New York where 15 hours per month should apply. In the case of field missions, an average of 5 hours per month should apply. It is further understood that the determination of reasonable time must be pragmatic. If circumstances so warrant within a given organizational unit, the Assistant Secretary-General for Human Resources Management or the Chief Administrative Officer, as appropriate, would seek the concurrence of the programme manager/supervisor for the additional time required. It would be expected that such concurrence would not be unreasonably withheld;

(e) In addition to the considerations set out in subparagraph (d), it was understood that circumstances may require the release of staff representatives to attend to special projects, such as salary surveys or time-bound participation in a working group or task force or such issues as security of staff or working conditions. If circumstances so warrant within a given organizational unit, the Assistant Secretary-General for Human Resources Management or the Chief Administrative Officer, as appropriate, would seek the concurrence of the programme manager/supervisor for the additional time required. It would be expected that such concurrence would not be unreasonably withheld.

9. The annex to the present report gives in chart form the breakdown of "reasonable time" to be granted per duty station for the conduct of staff

representational activities. This reflects the current composition of local staff representative bodies in the global Secretariat.

III. SPECIAL CONSIDERATIONS

10. Included in the report of the nineteenth session of SMCC, as approved by the Secretary-General, is management's recommendation that consideration should be given to introducing term limits for staff representatives so as to avoid a long-term, repeated drain of resources earmarked for programme delivery as well as the staff representative view that the proposal should not be considered and that it infringed upon the sovereign rights of staff representative bodies. The suggested consideration would require referendums by the staff at large of the respective staff unions. While taking note of the position of the staff, management reiterated its view that such consideration should be given by each staff union, in the light of the impact of the repeated release of the same staff representatives on the delivery of budgeted programmes.

11. Also, as indicated in the Secretary-General's report (A/C.5/49/64) on the costs of staff representation activities during 1992, 1993 and 1994, a staff member had been released full-time during that period to assist CCISUA. In response to concerns expressed by Member States, the full-time release of the CCISUA Research Office was ceased effective 1 January 1996, on which date the staff member concerned returned to full-time performance of her regular duties. On behalf of the member associations of the Coordinating Committee, both the President and the Vice-President of CCISUA have conveyed deep concern that the full-time release arrangement has been terminated and affirm that this will have a serious, negative impact on the ability of CCISUA, which is analogous to the Administrative Committee on Coordination (ACC) on the management side, to present comprehensive and informed staff positions on such matters as compensation, benefits and conditions of work for staff serving in the global Secretariat.

12. Management agrees on the value of the work of the Research Officer in the preparation of highly technical documentation presenting the staff perspective, in particular to the International Civil Service Commission (ICSC) and its subsidiary bodies, on such subjects as post adjustment, margin calculations and General Service salary methodology issues. ICSC has also commented on the usefulness of this work. Bearing this in mind, the Secretary-General had in September 1995 approved the recommendation of SMCC that "when the President or Chairman of the Executive Committee holds concurrently the position of President of CCISUA, release of another office shall be given, in the case of New York and Geneva". This would accommodate the continued full-time release of the CCISUA Research Officer. However, implementation of this measure has been suspended in view of the expressed concerns of Member States.

ANNEX

Application of official release formula agreed at the Staff-Management Coordination Committee for specific duty stations

A. Headquarters duty stations (approximately 1,000 staff)

New York

President	Full-time release
First Vice-President	Full-time release
Second Vice-President	Full-time release
8 members/Executive Committee	44 hrs/month (5 days)
60 staff representatives	15 hrs/month (2 days)
CCISUA Research Officer	Full-time release

Geneva

Executive Secretary	Full-time release
Deputy Executive Secretary	Full-time release
7 members/Executive Committee	32 hrs/month (4 days)
15 staff representatives	10 hrs/month (1.5 days)

Vienna

President	Full-time release
Vice-President	60% release/96 hrs/month (12 days)
4 members/Executive Committee	32 hrs/month (4 days)
14 staff representatives	10 hrs/month (1.5 days)

B. Other duty stations, less than 1,000 staff

Addis Ababa

President	60% release/96 hrs/month (12 days)
Vice-President	30% release/48 hrs/month (6 days)
4 members/Executive Committee	16 hrs/month (2 days)
5 staff representatives	10 hrs/month (1.5 days)

Bangkok

President	60% release/96 hrs/month (12 days)
Vice-President	30% release/48 hrs/month (6 days)
3 members/Executive Committee	16 hrs/month (2 days)
5 staff representatives	10 hrs/month (1.5 days)

Amman

President	60% release/96 hrs/month (12 days)
Vice-President	30% release/48 hrs/month (6 days)
2 members/Executive Committee	16 hrs/month (2 days)
2 staff representatives	10 hrs/month (1.5 days)

Jerusalem/Field Service

President	60% release/96 hrs/month (12 days)
Vice-President	30% release/48 hrs/month (6 days)
3 members/Executive Committee	16 hrs/month (2 days)
10 staff representatives	10 hrs/month (1.5 days)
90 outposted field mission staff representatives	5 hrs/month (0.5 days)

Nairobi

President	60% release/96 hrs/month (12 days)
Vice-President	30% release/48 hrs/month (6 days)
3 members/Executive Committee	16 hrs/month (2 days)
14 staff representatives	10 hrs/month (1.5 days)

Santiago

President	60% release/96 hrs/month (12 days)
Vice-President	30% release/48 hrs/month (6 days)
2 members/Executive Committee	16 hrs/month (2 days)
8 staff representatives	10 hrs/month (1.5 days)